

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JUDITH K. KERNS, MARCIA NALLEY, and SANDRA L. STEWART, on behalf of themselves and a similarly situated class,	)	
	)	
Plaintiffs,	)	Case No. 3:06-cv-01113
	)	District Judge Trauger
v.	)	Magistrate Judge Brown
CATERPILLAR, INC.,	)	Class Action
	)	
Defendant.	)	

**ORDER**

For the reasons expressed in the accompanying Memorandum, the plaintiffs' motion for class certification (Docket No. 60) is GRANTED. The court certifies a class, pursuant to Rule 23(b)(1) and (2), consisting of the following:

surviving spouses of former hourly employees: (1) who were represented by the UAW in collective bargaining; (2) who retired from Caterpillar on or after March 16, 1998 and before January 10, 2005; and (3) whose employment at Caterpillar's facilities in Memphis, TN, York, PA, Denver, CO, and Aurora, Peoria, East Peoria, Mapleton, Mossville, Morton, Decatur and Pontiac, IL was governed by the Central Labor Agreements and the related collective bargaining agreements. Any person who is presently the spouse of a living retiree cannot be a class member at this time.

The named plaintiffs are hereby designated as class representatives, and the plaintiffs' counsel is designated as class counsel.

It is so ordered.

Entered this 12th day of July 2007.



ALETA A. TRAUGER  
United States District Judge